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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Daniel Korb

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EXAMINER

WILKENS, JANET MARIE

ART UNIT

PAPER NUMBER

3637

MAIL DATE

DELIVERY MODE

07/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/560,507	Applicant(s) KORB, DANIEL	
	Examiner Janet M. Wilkens	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/24/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4,6,7,9-15 and 18-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4,6,7,9-15 and 18-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/24/08</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-4, 6, 7, 14, 23 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. For claim 2, it is unclear how a pin/counter-engagement element can also be a groove and the groove/engagement element can be a peg-shaped protrusion. Also please note that only one engagement element and counter-engagement element are being claimed in claim 28. For claim 14, "the inserts" (plural) lacks antecedent basis. For claim 23, "the socket" lacks antecedent basis. Please note that it is a socket member that was claimed previously. For claim 27, the claim appears incomplete and does not include a period.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 9, 12, 13, 15, 19-22, and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neal (4,011,821) in view of Manzel (931327). Neal teaches a piece of furniture, comprising: a table (12); a leg (16); a socket member with four edges (20; see Fig. 3); and a plastic mounting component (28) snap-fit/received in the

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socket member. For claims 19 and 28, Neal fails to teach a pin on the leg and a mating helical segment(s) in the mounting component. Manzel teaches a pin (D) extending radially outward on opposite sides of a post (c) and having a cylinder/mounting component which includes a pair of opposed axial slots (g,g',e,e') receiving portions of said pin extending radially from the post, wherein the pin is moveable in the slots, such that the post is axially moveable relative to the mounting component, wherein the mounting component further comprises a helical engagement member drawing the post into it. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the leg/mounting component of Neal by adding a pin on the end of the leg and mating helical segments in the mounting component to provide a connection means between the leg/mounting component to securely mount the leg to the table, socket member and mounting component; the pin connection making it more difficult to accidentally remove the leg from the rest of the assembly.

Claims 3, 4, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neal (4,011,821) in view of Manzel (931327) as applied to claims 2, 9, 12, 13, 15, 19-22, and 25-28 above, and further in view of Welsch et al (4,444,125). As stated above, Neal in view of Manzel teaches the limitations of claims 28 and 2, including a socket and leg interconnection. For claims 2 and 11, although Neal in view of Manzel teaches a tapered leg, the socket is not correspondingly tapered. Welsch teaches tapering two mating tubular features (118,130) to provide a more secure fit there between. It would have been obvious to one having ordinary skill in the art at the time

of the invention to modify the socket of Neal in view of Manzel by tapering its top portion so that it corresponds with the leg taper for the advantage stated above for Welsch.

Claims 10, 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neal (4,011,821) in view of Manzel (931327) as applied to claims 2, 9, 12, 13, 15, 19-22, and 25-28 above, and further in view of Seelinger (586,276). As stated above, Neal in view of Manzel teaches the limitations of claims 28, 9, 19 and 20, including a socket, insert and leg interconnection. For claims 10, 18 and 24, Neal in view of Manzel fails to teach that the socket and leg are angled with respect to the table. Seelinger teaches sockets and legs angled with respect to a table (see Fig. 1). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the socket/insert/leg angle of Neal in view of Manzel by angling the openings and leg positioning outwardly, such as is taught by Seelinger, to provide a more stable table support.

Allowable Subject Matter

Claim 6, 7, 14 and 23 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. However, it should be noted that the

allowable subject matter of claims 8-10 and 16 has not been incorporated in the new independent claims. Only portions of these claims appear in the new independent claims.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet M. Wilkens whose telephone number is (571) 272-6869. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Janet M. Wilkens/
Primary Examiner, Art Unit 3637

Wilkens
July 18, 2008